Attachment to document 06
Disclosed under FOI

Warwick Soden

From: Warwick Soden
Sent: Monday, 15 October 2018 7:49 PM
To: Darrin Moy
Subject: Fwd: The principle leadership position in the Brisbane Regustry

Darrin

Any suggestions? This is keeping me awake!!!!!!!

Have the 2 people to be appointed in Sydney been given offers for ses positions? Have they accepted? Would the APSC agree to give us 2 new SES positions? Hold firm? Does Sia have suggestions?

Warwick

Sent from my iPhone

Begin forwarded message:

> **From:** "Chief Justice Allsop (FCA)" <
> **Date:** 14 October 2018 at 3:49:27 am GMT-4
> **To:** Warwick Soden <
> **Subject: Fwd: The principle leadership position in the Brisbane Regustry**

Sent from my iPhone

Begin forwarded message:

> **From:** "Justice Greenwood (FCA)" <
> **Date:** 14 October 2018 at 5:54:52 pm AEDT
> **To:** "Chief Justice Allsop (FCA)" <
> **Cc:** Helen Kurek <
> **Subject: The principle leadership position in the Brisbane Regustry**
>
> James
> I'm in Japan at the moment on leave. I just want to let you know that a major problem is emerging concerning the DR position(it has a new name)in the Brisbane registry. Murray Belcher emerged from the selection process as the candidate to be appointed. However Warwick tells me there is a problem because the Australian Public Sector Commissioner has a veto on any SES appointment. The position Murray applied for is an SES role as it should be. To solve the problem Warwick wants to downgrade the role from an SES position, avoid the APSC's veto and appoint Murray. This reduces the standing of the position. It reduces Murray. Queensland is the 3rd largest State by population at 4.4 m and Brisbane is 2.2 m not including the Gild Coast and the Sunshine Coast. Of course the principle leadership role should be an SES position and Murray should be appointed to it. He has the unqualified support of the 8 resident judges, the profession and the staff. What more is required. Even the SA position supporting 3 judges with significantly less workload and

responsibility carries an SES classification. Two things should be noted. First, Warwick's advice that the APSC has a veto on an appointment is wrong. It is inconsistent with the Public Sector Act 1999 and the APS Guidelines 2016. Second, the true position is that neither Warwick nor Sia wanted to appoint MB. The so-called "veto" is a red herring(obfuscation would be a better word) to prevent Murray being awarded the position. The SES classification, you will find, will have been taken somewhere else in the organisation. Anyway, regrettably the 8 Brisbane judges will not accept the downgrading of the role in the interests of the Court overall, for all the obvious reasons. Moreover we believe that Murray, having emerged from the selection process ought now be appointed. I sent you an email about this just as you were returning and I was leaving suggesting, asking you, to engage on the issue. Now it is a major problem. I agree that what is being done to MB is both unfair and unprincipled. Warwick is overseas at the moment. I have had many exchanges with him that I would rather not have had. We are to talk when each of us return around 22/10. I had a bad feeling something like this was going to happen. It's a terrible thing they are doing to Murray who is entirely meritorious, and his family.
Andrew

The Hon. Justice Andrew Greenwood
Federal Court of Australia |